

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1623

By: Daniels

AS INTRODUCED

An Act relating to motor vehicle registration; amending Section 2, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1112.2), which relates to transferability of license plates; providing exception to certain requirement to return license plate; establishing status of certain license plate under specified circumstances; authorizing issuance of certain temporary license plate under specified circumstances and subject to the promulgation of rules by the Oklahoma Tax Commission; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 2, Chapter 208, O.S.L. 2018 (47 O.S. Supp. 2019, Section 1112.2), is amended to read as follows:

Section 1112.2. A. Effective July 1, 2019, the registration license plate and certificate of registration shall be issued to, and remain in the name of, the owner of the vehicle registered and the license plates shall not be transferable between motor vehicle owners. When a vehicle is sold or transferred in the state, the following registration procedures shall apply:

1 1. When a current and valid Oklahoma motor vehicle license
2 plate has been obtained for use on a motor vehicle and the vehicle
3 has been sold or otherwise transferred to a new owner, the license
4 plate shall be removed from the vehicle and retained by the original
5 plate owner.

6 2. In the event an owner purchases, trades, exchanges, or
7 otherwise acquires another vehicle of the same license registration
8 classification, the Oklahoma Tax Commission shall authorize the
9 transfer of the current and valid license plate previously obtained
10 by the owner to the replacement vehicle for the remainder of the
11 current registration period. In the event the owner acquires a
12 vehicle requiring payment of additional registration fees, the owner
13 shall request a transfer of the license plate to the newly acquired
14 vehicle and pay the difference in registration fees. The fee shall
15 be calculated on a monthly prorated basis. The owner shall not be
16 entitled to a refund:

17 a. when the registration fee for the vehicle to which the
18 plate(s) is to be assigned is less than the
19 registration fee for that vehicle to which the license
20 plate(s) was last assigned, or

21 b. if the owner does not have or does not acquire another
22 vehicle to which the license plate may be transferred.

23 3. ~~In~~

1 a. Except as provided in subparagraph b of this
2 paragraph, in the event the owner of a license plate
3 purchases, trades, exchanges or otherwise acquires a
4 vehicle for which a license plate has been issued
5 during the current registration period, and the
6 license plate has not been removed by the previous
7 owner in accordance with this section, the new owner
8 of the vehicle shall remove and return the license
9 plate to the Tax Commission or a motor license agent.
10 However, if the license plate has expired, the new
11 owner shall not be required to surrender the license
12 plate.

13 b. When a lender or lender's agent repossesses a vehicle
14 for which a license plate has not been removed in
15 accordance with this section, the lender or lender's
16 agent shall not be subject to the provisions of this
17 paragraph and the tag shall be considered personal
18 property subject to statutory provisions for
19 reclaiming personal property which has been
20 repossessed.

21 4. If a person purchases a motor vehicle from which the number
22 plates have been removed pursuant to this section, the person may
23 operate the motor vehicle for five (5) days from the date of
24 purchase without number plates if a dated notarized bill of sale is

1 carried in the motor vehicle. If the vehicle is subject to a lien,
2 the person may obtain a thirty-day temporary plate issued by a motor
3 license agent pursuant to the promulgation of rules by the Oklahoma
4 Tax Commission to implement a motor license agent-issued temporary
5 plate pursuant to this paragraph.

6 B. 1. The new owner of a motor vehicle shall, within thirty
7 (30) calendar days from the date of vehicle purchase or acquisition,
8 make application to record the registration of the vehicle by the
9 transfer to, or purchase of, a license plate for the newly acquired
10 vehicle with the Tax Commission or motor license agent and shall pay
11 all taxes and fees provided by law.

12 2. Any person failing to register a motor vehicle by timely
13 transferring the license plate as provided by this section shall pay
14 the penalty levied in Section 1132 of Title 47 of the Oklahoma
15 Statutes.

16 C. A surviving spouse, desiring to operate a vehicle devolving
17 from a deceased spouse, shall present an application for certificate
18 of title to the Tax Commission or motor license agent in his or her
19 name within thirty (30) days of obtaining ownership. The Tax
20 Commission or motor license agent shall then transfer the license
21 plate to the surviving spouse.

22 D. The Oklahoma Tax Commission shall be authorized to
23 promulgate such rules as may be required to implement the license
24 plate transfers authorized by this section; including, but not

1 limited to, such rules as may be required for a system under which
2 the license plate is registered to an individual and not a vehicle
3 for all license plates issued on or after July 1, 2019.

4 SECTION 2. This act shall become effective November 1, 2020.

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